

Ordinance No. 784

AN ORDINANCE AMENDING THE CITY CODE OF THE TOWN OF HOLLYWOOD PARK, TEXAS, CHAPTER 17, TRAFFIC AND MOTOR VEHICLES, ARTICLE III, STOPPING, STANDING, PARKING, BY ADDING A NEW SECTION 17-63, PROHIBITING PARKING OF VEHICLES IN A RESIDENTIAL AREA BETWEEN THE HOURS OF 2:00 A.M. AND 5:00 A.M.; PROVIDING FOR A SPECIAL PARKING PERMIT; PROVIDING FOR A TEMPORARY PARKING PERMIT; Providing for publication AS REQUIRED BY LAW.

WHEREAS, the City Council of the Town of Hollywood Park, Texas has investigated the parking of vehicles in the residential areas of the municipality; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and welfare of its citizens to regulate the parking of vehicles in the residential areas of the municipality;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS:

The City Code of the Town of Hollywood Park, Texas, Chapter 17, Traffic and Motor Vehicles, Article III, Stopping, Standing, Parking is amended by adding a new Section 17-63, entitled Prohibited Vehicular Parking Between 2:00 a.m. and 5:00 a.m. The new section shall read as follows:

Sec. 17-63. PROHIBITED PARKING BETWEEN THE HOURS OF
2:00 A.M. AND 5:00 A.M.

A. Except as otherwise provided in this Section, the parking of cars, trucks, commercial vehicles, truck tractors, all trailers, boats, recreational vehicles(RVs), including travel trailers, campers, motor homes or other vehicles upon a public street, public easement or public right of way adjacent to a residentially zoned property between the hours of **2:00 a.m. to 5:00 a.m.**, is prohibited. This provision shall not apply to a temporarily disabled vehicle provided that the temporarily disabled vehicle is protected by an approved, emergency, safety signal device.

B. SPECIAL PARKING-PERMIT TO PARK ON STREET

(a) Any person owning or occupying a premise and who believes that he/she does not have adequate space for

the parking of his/her vehicle(s) may file a written application to the City Secretary for a special parking permit to park a vehicle upon a public street, public easement or public right of way adjacent to a residentially zoned property. The written application shall detail the reason(s) for the Applicant's request for the special parking permit. In determining the issuance of the permit, the City Secretary may be guided by, but is not limited to, considering the following criteria:

- (1) That the residential premise does not have adequate space for the parking of the vehicle(s) of the owner/occupant, or the immediate family members of the owner/occupant of the residential premises:

C. Appeal of a denial of a special parking permit.

- (1) The applicant seeking a special parking permit may appeal a denial of the special parking permit by the City Secretary to the City Administrator. The City Administrator, after duly considering the facts and circumstances of the denial of the permit, may: (a) reverse the denial and issue the special parking permit to the applicant or, (b) affirm the decision of the City Secretary in denying the issuance of the permit to the applicant. In the event the City Administrator affirms the denial, the applicant may then appeal the denial to the City Council of the Town of Hollywood Park.
- (2) The reason(s) for denying the special parking permit may be attached to the application of the owner/applicant. A copy of the denial, upon request of the owner/applicant, shall be provided to the owner/applicant.
- (3) In the event of an appeal, the application and written denial shall be forwarded to the City Council.
- (4) The resolution and decision by the City Council of the appeal shall be final, conclusive and subject to no further review.

D. TEMPORARY PERMIT TO PARK ON STREET IN A RESIDENTIAL AREA.

- (1) Any person owning or occupying residential premises may obtain a temporary, conditional parking permit in a residential area, on a city street for their visitors, guests or other persons temporarily staying upon such premises by making a written application to the City Secretary prior to the time such automobiles or other vehicles are parked on the street. The City Secretary or his/her designee is authorized to issue a temporary parking permit to park on a street in a residential area and to maintain a log of the issued temporary parking permits.
- (2) The issuance of these temporary parking permits may be limited as follows:
 - (i) No temporary parking permit may exceed 30 days;
 - (ii) no more than three (3) such permits may be issued to an owner/occupant for any premise during any calendar year by the City Secretary;
- (3) To be effective, any issued permit must be prominently displayed on the front windshield of the automobile when parked on the residential Area Street between the hours of 2:00 a.m. and 5:00 a.m.

This Ordinance shall take effect immediately upon its passage, approval and publication as required by law.


PASSED AND APPROVED this the 21st day of September, 2004


Sean Martinez, Mayor

Attest:


Barbara M. Haddock
City Secretary

Approved as to form:


City Attorney